

Notice of Allowability

Application No.

09/750,009

Examiner

Thomas Duong

Applicant(s)

GIOTTA, PAUL

Art Unit

2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to July 2, 2006.
2. ☒ The allowed claim(s) is/are 1-19 and 21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


JASON CARDONE
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

Response to Arguments

1. The Applicants' arguments and amendments filed on July 2, 2006 have been fully considered and are persuasive.

Allowable Subject Matter

2. *Claims 1-19 and 21 are allowed. The claims indicated include limitations that the prior arts of record do not appear to teach or render obvious, hence they are allowed.*
3. The following is an examiner's statement of reasons for allowance:

As presented in the previous Office Action, Podgorny et al. (US006078948A) teaches a system that "includes logic to establish communication connections with demons and logic to maintain system state, including a list of associations identifying demons in a room. It also includes logic to receive a message from a demon, to consult the system state, and, in response to the consultation, to forward a message to other relevant demons as determined by the system state" (Podgorny, col.2, lines 52-58). In addition, Podgorny discloses "a first and second client node may collaborate by causing their respective demons to send messages from a predefined protocol to the server, which in turn will forward them to other relevant demons" (Podgorny, abstract). According to Podgorny, the demon logic of a room "includes logic to receive messages from a launched application and ... forward the messages to the server. It also includes logic to receive messages from the server and to cause at least a portion of the message to be

routed to a relevant entity” (Podgorny, col.2, lines 45-49). In addition, figures 1 and 2 show that the launched applications can send messages to each others via the demon logic, which establishes the connections, and the server which stores and forwards the messages to the relevant entities. Hence, Podgorny discloses of a messaging system that receives messages from users via the system’s application demon and forwarding those messages to the intended users as appropriate. Also presented in the previous Office Action, Codella et al. (US006804818B1) discloses, “in JMS, a destination corresponds to a JMS destination, which in turn can be either a queue or a topic (for point-to-point and publish/subscribe, respectively)” (Codella, col.15, lines 61-63).

However, the prior arts of record fail to teach or suggest individually or in combination as stated in the independent claims for *“the message system comprising a server cluster containing a group of client manager nodes, said group of client manager nodes comprising a plurality of client manager nodes”, “the server cluster further containing a group of message manager nodes being configured differently from the client manager nodes, said group of message manager nodes comprising a plurality of message manager nodes”, “the system further comprising communication channel means for providing a multicast communication channel for forwarding messages between said group of client manager nodes and said group of message manager nodes”,* and in combination with other limitations as set forth in the independent claims, as well as Applicants’ arguments presented on pages 11-26 of the amendment filed on July 2, 2006.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany

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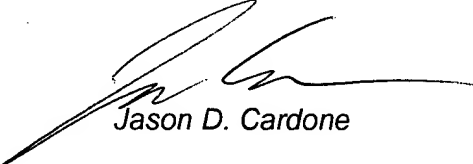
the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Duong whose telephone number is 571/272-3911. The examiner can normally be reached on M-F 7:30AM - 4:00PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason D. Cardone can be reached on 571/272-3933. The fax phone numbers for the organization where this application or proceeding is assigned are 571/273-8300 for regular communications and 571/273-8300 for After Final communications.

Thomas Duong (AU2145)

September 15, 2006

A handwritten signature in black ink, appearing to read "Jason D. Cardone", with a long horizontal flourish extending to the right.

Jason D. Cardone

Supervisory PE (AU2145)